

Appl. No. 09/805,626

Reply to Non-Final Office Action Dated July 01, 2005

**REMARKS**

Claims 1-12, 14-26, 40-47, and 51-54 were initially pending. Claims 42-46 were amended. Claims 1-12, 14-26, 40-41, and 51-54 were canceled without prejudice. Accordingly, claims 42-47 remain pending.

The July 01, 2005 Office Action ("Action") indicates that claims 42-47 would be allowable if rewritten to overcome the outstanding 35 USC §101 rejection. To place this application into condition for allowance, and as described below, Applicant has amended claims 42-46 to overcome the 35 USC §101 rejection. Thus, withdrawal of all rejections to the pending claims is respectfully requested.

**Claim Amendments**

The preamble of claim 42 has been amended from "[a] method comprising" to "[a] computer-implemented method comprising". The preambles of claims 43-46 have been amended to more precisely show the antecedent relationship to their respective base claim 42. More particularly, the preambles of claims 43-46 have been changed from "[a] method as recited in claim 42" to "[t]he method of claim 42".

**35 USC §101 Rejections**

Claims 42-47 stand rejected under 35 USC §101 as being directed to non-statutory subject matter. In view of this rejection, claim 42 has been amended from "[a] method comprising" to "[a] computer-implemented method comprising". This amendment indicates that the subject matter of claim 42 is directed to statutory subject matter.

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1 Accordingly, withdrawal of the 35 USC §101 rejection of claim 42 is  
2 respectfully requested.

3 Claims 43-47 depend from claim 42. For the reasons discussed above,  
4 claim 42 is directed to statutory subject matter. Thus, claims 43-47 are also  
5 directed to statutory subject matter.

6 Accordingly, withdrawal of the 35 USC §101 rejection of claims 43-47 is  
7 respectfully requested.

8  
9 Conclusion

10 In view of the indication of allowability of claims 42-47, this application  
11 has been placed into condition for allowance and action to that end is respectfully  
12 requested. Should any issue remain that prevents allowance of the application, the  
13 Office is encouraged to contact the undersigned prior to issuance of a subsequent  
14 Office action.

15  
16 Respectfully Submitted,

17  
18 Dated: 9/21/2005

By: Brian G. Hart

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